

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Kenneth J. ARTIS

Serial No.: 10/678,390

Filed: October 3, 2003

For: METHOD AND SYSTEM FOR
FACILITATING CREATION AND
PROMOTION OF CREATIVE
WORKS

Customer No.: 29000

Confirmation No.: 3517

Group Art Unit: 3609

Examiner: Liu, Chia-Li

Office Action mailed:

May 14, 2009

AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION

PURSUANT TO 37 CFR 1.116(B)(2)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper responds to the final Office Action dated May 14, 2009, and is being filed concurrently with a Notice of Appeal.

Claims 1 – 17 are pending, while claims 18 – 42 and 44 have been withdrawn. The pending claims presently stand rejected as allegedly unpatentable under 35 U.S.C. § 103(a) over U.S. Patent publication 2004/0015427 A1 (Camelio) in view of U.S. Patent 7,003,493 (Weichert) and U.S. Patent publication 2002/0198763 (Pittelli). The pending claims are also subject to a rejection under § 112(1) due to the use of the term “locked account”.

Without acquiescence in the grounds of rejection and without prejudice to pursue the original claimed subject matter at a later time (by continuation application or otherwise), the claims have been amended herein to respond to the § 112(1) rejection, thereby eliminating one issue from the Office Action and placing the claims in better condition for appeal. Although Applicant had previously used the term "locked account" in the claims, the Examiner did not raise an objection to this terminology until the Final Office Action. Therefore, Applicant has not previously had an opportunity to address this objection. Applicant believes that, although the original claim language was proper, the amended claim language will overcome the 112(1) rejection.

Accordingly, please amend this application as shown herein. Reconsideration of the grounds of rejection is respectfully requested in view of the accompanying remarks.

Summary of Claims

Pending:	1 – 17
Amended:	1
Canceled:	43
Unchanged:	2 – 17
Withdrawn:	18 – 42, 44

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks begin on page 15 of this paper.